

REMARKS

The Applicants respectfully requests reconsideration in view of the following remarks and amendments. Claims 1, 3, 11 and 13 have been amended. Claims 2 and 12 are cancelled herein, claims 7 and 14 were previously cancelled. No claims have been added. Accordingly, claims 1, 3-6, 8-11 and 13 are pending in the Application.

I. Claim Rejections Under 35 USC § 103

Claims 1, 4, 5 and 8-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,737,030 issued to Hong et al. ("Hong") in view of U.S. Patent Publication No. 2003/0149981 filed by Finster et al. ("Finster") and further in view of U.S. Patent Publication No. 2003/0184578 filed by Cowperthwaite ("Cowperthwaite"). Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hong and Finster and Cowperthwaite as applied above, and further in view of U.S. Patent Publication No. 2002/0120451 issued to Kato et al. ("Kato"). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hong and Finster and Cowperthwaite as applied above, and further in view of U.S. Patent No. 6,314,398 issued to Junqua et al. ("Junqua"). Claims 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hong and Finster and Cowperthwaite as applied above, and further in view of Kato.

To determine obviousness of a claim: (1) factual findings must be made under the factors set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966); and (2) the analysis supporting the rejection under 35 U.S.C. § 103 should be made explicit and there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. See MPEP §§ 2141(II), 2141(III), and 2142; KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385, 1396; see e.g., MPEP § 2143 (providing a number of rationales which are consistent with the proper "functional approach" to the determination of obviousness as laid down in Graham).

In regards to the rejection of claim 1 under 35 U.S.C. § 103, this claim has been amended to recite:

"A system for providing an electronic program guide (EPG) about a plurality of programs supplied through a digital broadcasting system, comprising:

a service information receiver unit receiving service information transmitted from the digital broadcasting system and extracting the EPG information from the service information, and storing the EPG information, wherein the EPG information includes sentence fragments corresponding to listings of information about the plurality of programs;

an EPG processor converting the EPG information stored in the service information receiver unit into speech EPG information, wherein the EPG processor converts the EPG information into characters and forms the same into complete sentences to produce the speech EPG information; and

a speech output unit producing the speech EPG information as speech, wherein the EPG processor classifies the EPG information for each program into higher-order and lower-order information, respectively converts them into higher-order and lower-order speech EPG information, outputs the higher-order speech EPG information to the speech output unit to reproduce it as speech, and selectively outputs the lower-order speech EPG information to the speech output unit in response to the user's request to reproduce it as speech, wherein the higher-order information is a summary description of a corresponding program and the lower-order information is a more detailed description of the corresponding program" (emphasis added).

These amendments are supported, for example, by original claim 2 and page 15, line 3 through page 19, lines 1 of the Specification as filed. The Examiner acknowledges that Hong fails to teach the elements of claim 2, which are now incorporated in claim 1. See Final Office Action, Page 5. Instead the Examiner cites Kato to cure the deficiencies of Hong. See id. However, we have been unable to locate any sections of Kato which disclose these elements of amended claim 1.

Kato discloses a system and method of converting a complete input sentence that is in a first form into a complete output sentence of a second form. See Kato, Abstract and paragraphs [0008] and [0019]. Specifically, the system and method of Kato derives the meaning of a complete sentence and reformats the sentence to produce a newly formatted complete sentence with the same meaning. See id. In contrast, the system of amended claim 1 inputs sentence fragments corresponding to listings of information about a plurality of programs and converts these sentence fragments into complete sentences to produce speech EPG information.

By converting sentence fragments into complete sentences, the system of amended claim 1 can more efficiently and conveniently produce auditory speech information that is not in a complete sentence format for use in a EPG system. By only converting complete sentences into other completes sentences, the system and method of Kato fails to teach or suggest an EPG

processor converting EPG information into complete sentences to produce speech EPG information, wherein the EPG information includes *sentence fragments* corresponding to listings of information about a plurality of programs as recited in amended claim 1. Further, the Examiner has not cited and the Applicants have been unable to locate any sections of Finster or Cowperthwaite which cure the deficiencies of Hong and Kato. Thus, the combination of Hong, Finster, Cowperthwaite and Kato fails to disclose these elements of amended claim 1. According to MPEP §2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Therefore, amended claim 1 is not obvious in view of the cited prior art. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 on this basis.

In regard to claim 11, this claim has been amended to include analogous limitations to those of amended claim 1. These amendments are supported, for example, by original claim 12 and page 15, line 3 through page 19, lines 1 of the Specification as filed. For at least the same reasons discussed above in relation to claim 1, the combination of Hong, Finster, Cowperthwaite and Kato fails to disclose these elements of amended claim 11. Therefore, amended claim 11 is not obvious in view of the cited prior art. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 11 on this basis.

In regard to claims 3-5, 8-10, and 13, these claims depend from independent claim 1 and incorporate the limitations thereof. The Examiner’s argument assumes that the combination of Hong, Finster, Cowperthwaite and Kato discloses all elements of amended claim 1 which are incorporated in dependent claims 4 and 10. However, as discussed above, the combination of Hong, Finster, Cowperthwaite and Kato does not disclose all the limitations of amended claim 1. Therefore, claims 4, 5 and 8-10 are not anticipated by the combination of Hong, Finster, Cowperthwaite and Kato. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 3-5, 8-10, and 13 on this basis.

In regard to claim 6, this claim depends from independent claim 1 and incorporates the limitations thereof. The Examiner’s argument assumes that the combination of Hong, Finster and Kato discloses all elements of amended claim 1 which are incorporated in dependent claim 6. However, as discussed above, the combination of Hong, Finster, Cowperthwaite and Kato does

not disclose all the limitations of amended claim 1. Further, Junqua fails to cure the deficiencies of the combination of Hong, Finster, Cowperthwaite and Kato. Therefore, claim 6 is not obvious in view of the combination of the combination of Hong, Finster, Kato, Cowperthwaite and Junqua. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 6 on this basis.

II. Additional Amendments to the Claims

In view of the cancellation of claims 2 and 12 and the incorporation of the elements of these claims into claims 1 and 11, claims 3 and 13 have been amended to depend from claims 1 and 11, respectively. The Applicants submit that these amendments do not add new subject matter to the Application. Accordingly, the Applicants respectfully request entry of the amendments to these claims.

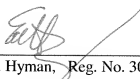
CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

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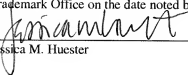
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CERTIFICATE OF TRANSMISSION

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